1978 CONSTITUTIONAL CONVENTION

INTRODUCTION

The records of the 1978 Constitutional Convention consist of records from the Offices of the Secretary and President and from the standing committees. The records are unrestricted and total 8.0 linear feet.

AGENCY HISTORY

Act 17, Session Laws of Hawaii, Special Session of 1977, was enacted by the Legislature to provide for a Constitutional Convention. It provided for the election of the delegates, their compensation, submission of the convention's work and other convention preparations. Pursuant to this Act, 102 delegates to the 1978 Constitutional Convention were chosen in a special election held May 20, 1978.

The 1978 Constitutional Convention, the third since annexation, was called to order on July 5, 1978 in the old Federal Building by Delegate Floyd Pulham, who acted as temporary chairman. The Convention officers were: President, William W. Paty, Jr.; Secretary, M. Haunani Ching, and Assistant Secretary, Craig Nakamura. They were elected by the majority of the Convention in closed balloting. Eight vice-presidents, one from each senatorial district, were elected. Each was chosen by a majority of delegates from the respective senatorial district. These eight vice-presidents were: Bruce C. McCall, Allen W. Barr, Paul E. DiBianco, Donald D. H. Ching, Larry S. Uyehara, H. Jean Goodenow, Les. S. Ihara, Jr., and James Shinno.

The secretary was the officer in charge of the administrative, clerical and custodial activities of the convention. He was responsible for keeping the journal of the proceedings of the Convention and under the direction of the President, preparing a calendar for business each day. The Secretary preserved all proposals, committee reports, and other records, books, documents and papers of the Convention. After adjournment these were delivered to the State Archives.

The President was responsible for calling the convention to order each day and preserving order and decorum. He was responsible for appointing all standing committees and decided all questions of order, subject to appeal to the Convention.

Two administrative, twelve subject, and two procedural committees were formed to investigate and hold hearings on delegate proposals. Every provision of the Constitution was
addressed by at least one subject committee on referral by the president and by both procedural committees. The two administrative committees were 1) Budget, Accounts, and Printing and 2) Rules and the two procedural committees were 1) Revision, Amendment and Other Provisions and 2) Style. The twelve subject committees were: 1) Bill of Rights, Suffrage and Elections; 2) Environment, Agriculture, Conservation and Land; 3) Education; 4) Ethics; 5) Executive; 6) Hawaiian Affairs; 7) Judiciary; 8) Legislature; 9) Local Government; 10) Public Health and Welfare, Labor and Industry; 11) Submission and Information; and 12) Taxation.

Each Constitutional Convention delegate could introduce proposals to amend the constitution in open session of the Convention. The Convention President referred each delegate proposal to the appropriate standing committee which studied the proposals, received expert testimony and held public hearings.

The committee then voted on each delegate proposal referred to it. Those which passed by majority vote were combined or sequenced as appropriate into committee proposals which were returned to the Convention accompanied by committee reports which summarized committee findings, opinions and intent. These committee reports passed first reading in the Convention by title and were referred to the Committee of the Whole, composed of the entire Convention acting as a large committee, for further debate. Following this debate, and amendment if any, the Committee of the Whole voted on the proposal. If it passed the Committee of the Whole, it was reported out, accompanied by a report based upon the committee debate, which set forth findings, opinions and intent. The Convention then voted on the proposal. Proposals that achieved a majority in favor were deemed to have passed second reading and were referred to the Committee on Style which would review the proposal to ensure correct and consistent grammar, making any necessary amendments before returning it to the Convention for passage on third and final reading by a majority affirmative vote. The final form of the proposal lastly went to the Committee on Submission and Information which by resolution recommended the method and manner of presentation to the electorate.

The 1978 Constitutional Convention adjourned on December 2, 1978 after 64 days of deliberation. 34 amendments were recommended by the delegates.
SCOPE AND CONTENT NOTE

The records include journals, orders of business, debates in the Committee of the Whole, delegate and committee proposals, committee reports, communications, roll call, and convention memoranda from the Office of the Secretary; pre-convention caucus minutes, correspondence and memoranda from the Office of the President; and minutes, agendas, testimonies, correspondence, and memoranda from the Standing Committees.

SEE ALSO:

Finding Aids:
Government Records Inventories
Constitutional Convention 1950
1968 Constitutional Convention

Government Publications:
Hawaii Constitutional Convention Studies, 1978. Legislative Reference Bureau. 16v arranged by article number
Con Conc Summary. Submission and Information Committee, [October 1978]. P0000.1610 & P0000.1611
Amendments to the State Constitution Proposed by the 1978 Constitutional Convention, Nov. 7, 1978. P0000.1614, P0000.1615, P0000.1616, P0000.1617, P0000.1618, P0000.1619, P0000.1620 & P0000.1621
Complete Text of Amendments Proposed by the Constitutional Convention of 1978, Nov. 1978. P0000.1622, P0000.1623, P0000.1624, P0000.1625, Chinese Translation, P0000.1626 & P0000.1627
English facsimile ballot, Nov. 1978. P0000.1628 & P0000.1629
SERIES DESCRIPTIONS

209 CONVENTION JOURNALS. July 5 to December 2, 1978. 4.0 lin. inches.
   Arranged chronologically.
   Official record of the proceedings of the Convention. Summary of all
   business transacted including introduction of proposals by title and
   name of introducers; proposals acted upon; committee reports
   submitted and acted upon; roll call votes and communications
   received. Printed in the Proceedings of the Constitutional Convention
   of Hawaii of 1978, Volume I, Journal and Documents. Also available
   on 1/4 in. reel to reel audio tapes.

210 ORDERS OF BUSINESS. July 5 to December 2, 1978. 0.5 lin.
   inch.
   Arranged chronologically.
   Daily agendas specifying the order of consideration of
   subjects before the Convention on each day.

211 DEBATES IN THE COMMITTEE OF THE WHOLE. August 14 to
   September 14, 1978. 6.0 lin. inches.
   Arranged chronologically.
   Transcripts of debates on specific articles in the Constitution.
   Printed in the Proceedings of the Constitutional Convention of
   Hawaii of 1978, Volume II, Committee of the Whole Debates. Also
   available on 1/4 in. reel to reel audio tapes (included in Series
   209).

212 DELEGATE PROPOSALS. July 6 to July 31, 1978. 38.0 lin.
   inches.
   Arranged numerically.
   Forms used to introduce ideas or subjects for inclusion
   into the Constitution. Proposals were introduced by one or
   more delegates and could relate to a point or section of an
   article or to the entire Constitution.

213 COMMITTEE PROPOSALS. August 9 to September 7, 1978. 6.0
   lin. inches.
   Arranged numerically.
   Proposals introduced by a committee in the form of an
   entire article encompassing subjects under a committee's
   jurisdiction. Includes drafts of proposals, Committee of
   the Whole reports, minority reports, and record of votes in
   the committee.
RESOLUTIONS. July 5 to September 21, 1978. 2.0 lin. in.
Arranged numerically.

Informal means of introduction of ideas used primarily
in expression appreciation to the media, the various government
agencies and the deserving organizations or individuals.
Adoption of convention rules and listing of committee
membership were also done by resolutions. Printed in
Proceedings of the Constitutional Convention of Hawaii,
Volume I, Journal and Documents.

COMMITTEE REPORTS. July 5 to September 21, 1978. 1.6 lin.
inches.

Organized in two subseries: 1) Standing Committee
Reports (written statements by the committees which set
forth the findings, results, and recommendations of matters
referred to the committees such as proposals and
resolutions) and 2) Special Committee Reports (reports from
the Credentials Committee regarding examination of
certificates of election and qualifications of delegates and
a report from the Ad Hoc Committee on Ethics recommending
adoption of a code of ethics for Constitutional Convention
delegates).

Printed in Proceedings of the Constitutional Convention

Subseries are arranged numerically.

COMMUNICATIONS. July 3 to September 20, 1978. 0.4 lin.
inches.

Organized in four subseries: 1) Governor's Messages
(includes welcome address by Governor George R. Ariyoshi to
the opening session of the Convention, authorization for
signing of vouchers, and a letter from Governor Ariyoshi to
William Paty, Jr., President of the Constitutional
Convention, approving the Hawaii Public Broadcasting
Authority's request for funds), 2) Departmental
Communications, (letters from Lieutenant Governor regarding
deadline for submission of amendments to the State
Constitution proposed by the Constitutional Convention and
opinion regarding legality of ballot and voter tabulation),
3) Miscellaneous Communications, (letter of congratulations
from U.S. Senator Spark Matsunaga and clarification by Chief
Attorney of the Constitutional Convention regarding
discretionary power of the President to adjust budget), and
4) Petitions (petitions regarding meeting of only selected
delegates, president and member of the convention legal
staff and petitions regarding initiative, referendum and
recall signed by over 38,000 citizens).

Each subseries is arranged numerically.
217 ROLL CALL. July 5 to December 2, 1978. 0.25 lin. inch.
Arranged chronologically.
Delegates' attendance sheets.

218 CONVENTION MEMORANDA. July 6 to August 16, 1978. 0.1 lin. inch.
Arranged chronologically.
Originated by secretary, committee chairmen and delegates. Contains information regarding procedures, schedules, etc.

Organized in three subseries: 1) Pre-convention Caucus Minutes (discusses temporary rules of the Constitutional Convention, budget, and election of temporary secretary and assistant secretary), 2) Correspondence (letters between President of the Constitutional Convention and the Governor regarding expenses), and 3) Memoranda (includes instructions from the President to committee chairmen and information and deadlines to delegates).
Subseries are arranged chronologically.

220 RECORDS OF THE STANDING COMMITTEES. 33.1 lin. inches.
February 3 to September 17, 1978.
Arranged by subject, thereunder chronologically.
Consists of agendas, minutes and testimonies and sometimes include memoranda, correspondence, reports, and briefings.
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Prepared by J. Nakamatsu, 1992/10  
Revised by A. Hoof, 1998/7